IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 7439 of 1995

Between:

1 Smt.B.Lakshmi Narayanamma, W/o.B.Peddanarayana Reddy,
Kamalanagar, Anantapur District.
2 Smt.Musarath Begum, W/o.Dastagiri,
Ramnagar, Ananthapur District.
3 Avula Hanumanthu, S/o.A.Narayana,
Rep.by his General Power of Attorney Holder M.Srinivas Reddy,

S/o.M.Konda Reddy,
age 36 yrs, Prakashnagar, Ananthapur District.

..... PETITIONERS

AND

1 The District Collector,
Ananthapur.
2 The Municipal Commissioner, Ananthapur Municipality,
Ananthapur.
3 The Deputy Executive Engineer, A.P., Housing Board,
Housing Board Colony, Ananthapur District.
4 The Manager A.P.Housing Board,
Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction mostly one which is in the nature of writ of mandamus declaring the action of the respondents in laying a conventional road (kuccha road) through the plots of land admeasuring 10 cents. 10 cents and 5 cents respectively in town survey No.292/1B of the Ananthapur town belonging to the petitioner without recourse to the provisions of Land Acquisition Act and without payment of any compensation under the Land Acquisition Act or providing the alternative sites for the value of the loss suffered by the petitioners as illegal, irregular, arbitrary, unjustified, without jurisdiction, without authority and unconstitutional and direct the respondents to remove the kuccha road by laid by them for effective enjoyment and usage of the said land by the petitioners and pass such other order or orders as it may deem fit.

Counsel for the Petitioner: MR.P.VEERA REDDY

Counsel for respondent No.1: G.P. for Land Acquisition

Counsel for the Respondent No.2: MR.R.V.CHALAPATHI, Standing Counsel

Counsel for respondent Nos.3 and 4 : Sri J.Prabhakar

The Court made the following:

ORAL ORDER:

This writ petition is filed to declare the action of the respondents in laying road through the land in Sy.No.292/1B of Anantapur town, without initiating proceedings under the Land Acquisition Act, as illegal.

It is represented by the learned standing counsel appearing for respondents that though there was initially a proposal to lay road through the land in the survey number mentioned above, subsequently the proposals were withdrawn.

Placing the said statement on record, the writ petition is closed as no further orders are necessary.

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25-1-2005

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1. The District Collector,
   Ananthapur.
2 The Municipal Commissioner, Ananthapur Municipality,
   Ananthapur.
3 The Deputy Executive Engineer, A.P., Housing Board,
   Housing Board Colony, Ananthapur District.
4 The Manager A.P. Housing Board,
   Kurnool.

5. Two CCs. To the G.P. for Land Acquisition, High Court Buildings, Hyderabad (OUT)

6. Two C.D. copies